IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

WP(C).No. 23877 of 2006(P)

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PETITIONER:

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K.M.SIYAD, AGED 36 YEARS,
S/O. SRI. MUHAMMED, JALEEL MANZIL,
AROOR P.O., ALAPPUZHA DISTRICT.

BY ADV. SRI.MOHAN C.MENON

RESPONDENTS:

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1. KERALA TRANSPORT DEVELOPMENT FINANCE CORPORATION LTD., SAPHALLYAM, PALAYAM, THIRUVANANTHAPURAM, REPRESENTED BY MANAGING DIRECTOR.

2. M/S. S AND C MULTI COMMERCIAL (P) LTD., 4TH FLOOR, SITHARAM COMPLEX, CHITTOOR ROAD, ERNAKULAM, REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADV. SRI.SATHISH NINAN
SRI.SANTHOSH MATHEW
SRI.SHAJI P.CHALY
GOVERNMENT PLEADER SRI. M.R. SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.23877 OF 2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE PRE QUALIFICATION BID ALONG WITH PRE QUALIFICATION FORMAT DATED 3.8.06 ISSUED BY THE 1ST RESPONDENT.

EXT.P2: TRUE COPY OF THE LETTER DATED 29.8.06 ISSUED TO 1ST RESPONDENT BY THE PETITIONER.

EXT.P3: TRUE COPY OF THE CVC INSTRUCTION DATED 1.10.199.

EXT.P4: TRUE COPY OF OFFICE ORDER NO.33/7/03 DATED 9.7.2003 OF THE DEPUTY SECRETARY, GOVERNMENT OF INDIA, CENTRAL VIGILANCE COMMISSION.

EXT.P5: TRUE COPY OF THE OFFICE ORDER NO.68/10/05 DATED 25.10.2005 ISSUED BY -DO-

2ND RESPONDENT'S EXHIBITS

EXT.R2(1): TRUE COPIES OF DETAILS OF EXPERIENCE ANNEXURE TO TENDER.

TRUE COPY

PA TO JUDGE.

**S. SIRI JAGAN, J.**

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**W.P.(C)NO. 23877 OF 2006**

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**DATED THIS THE 21st DAY OF AUGUST, 2007**

**JUDGMENT**

The petitioner who was a tenderer pursuant to Ext.P1 tender notice issued by the 1st respondent,is challenging award of the contract in favour of the 2nd respondent. The petitioner claims that he is the lowest tenderer and therefore, he is entitled to be awarded the contract. After going through the writ petition and the counter affidavit filed, I am satisfied that there is no merit in the contention of the petitioner since the 1st respondent has in their statement submitted that the 2nd respondent quoted lower than what the petitioner quoted. The period of contact is to be over by September 2007. In the above circumstances, the writ petition is without any merits and the same is dismissed.

**S. SIRI JAGAN, JUDGE**

Acd